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AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

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MAR 06 2017
AT BALTIMORE
CLERK, U.S. DISTRICT COURT
DISTRICT OF MARYLAND
BY DEPUTY

David Shipley, an agent with the Federal Bureau of Investigation (FBI) being duly sworn, states:

AGENT BACKGROUND

1. I am a Task Force Officer with the Federal Bureau of Investigation (FBI) and have been so since 2013. As such, I am an "investigative or law enforcement officer of the United States" within the meaning of Section 2510(7) of Title 18, United States Code (U.S.C.), that is, an officer of the United States empowered by law to conduct investigations of and to make arrests for offenses enumerated in Title 18 U.S.C. § 1951.

2. I have been employed with the Baltimore County Police Department since June 1999 and was assigned to the Criminal Investigation Bureau as a Detective in September 2005 where I was assigned to the Economic Crimes Unit. In November of 2005 I transferred to the Firearms Violence Unit. In September 2006 I transferred to the Violent Crimes Unit. In June 2008 I transferred to the Robbery Unit where, in February 2013, I became a Task Force Officer with the FBI Baltimore Violent Crimes Task Force C-3 squad where I am currently assigned. During my employment as a Detective/Task Force Officer, I have been assigned to investigate violations of federal law including bank robbery, kidnappings, Hobbs Act robbery, firearms violations, and other violent crime. I have training and experience in the area of criminal investigations, interview and interrogation, and evidence recovery

3. This affidavit is submitted in support of an application for a search warrant to obtain samples of DNA for comparison purposes in the form of saliva. I seek to seize this evidence in relation to an investigation into violations of Title 18 U.S.C. § 924(c), which prohibits the use,

carrying, or possession of a firearm during and in relation to any crime of violence; and Title 18 U.S.C. § 1951, interference with commerce by threats or violence.

4. Because this affidavit is being submitted for the limited purpose of establishing probable cause for a search warrant, I have not included every detail of every aspect of the investigation. Rather, I have set forth only those facts that I believe are necessary to establish probable cause. I have not, however, excluded any information known to me that would defeat a determination of probable cause. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents, police officers, witnesses, cooperating sources, telephone records, and reports. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

5. Based on my knowledge, training, experience, and facts set forth in this affidavit, I submit there is probable cause to believe that violations of Title 18 U.S.C. Sections 924(c) and 1951 have been committed by Richard Wallace GREEN. I also generally know that Deoxyribonucleic Acid (DNA) can be found on items such as clothing and firearms and can be compared to a sample of DNA from a known person.

ITEMS TO BE SEARCHED

6. This affidavit is being submitted in support of an application for a search and seizure warrant to obtain DNA for comparison purposes in the form of saliva for Richard Wallace GREEN, a male born on March 29, 1968, with a Social Security number ending in 0456, and an FBI number ending in 2FAO. Photograph of the individual are included in Attachment A of this affidavit. I seek to seize this evidence in relation to an investigation into violations of Title 18

U.S.C. § 924(c), which prohibits the use, carrying, or possession of a firearm during and in relation to any crime of violence; and Title 18 U.S.C. § 1951, interference with commerce by threats or violence.

7. The applied for warrant would authorize members of the FBI, or their authorized representatives, including but not limited to other law enforcement agents assisting in the above described investigation, to obtain DNA saliva sample from Richard Wallace GREEN.

PROBABLE CAUSE

8. On July 15, 2015, at approximately 08:10 a.m., members of the Baltimore County Police Department (BCPD) responded to the Royal Farm Store located at 6067 Falls Road Towson, Maryland 21204, for a commercial armed robbery. Victims/Witnesses told Detectives/Officers a suspect robbed the victims at the Royal Farms and shot at a victim while fleeing the robbery. Suspect was described as a black male with light complexion, approximately 45 years old with a "salt and pepper" beard. While inside committing to robbery the suspect had a black mask covering most of his face. Prior to the robbery the suspect was observed walking toward the Royal Farms from a residential area located to the rear of the Royal Farms. The suspect walked behind the front counter while carrying a bag and handgun. The suspect demanded the register to be opened, and Cigarettes. The victim complied with the suspects' demands and opened the register and directed the suspect to the cigarettes. The suspect took approximately $230.00 in US Currency and approximately $3500.00 worth of cigarettes. The suspect fled the location running out the front door and ran toward the rear of the store toward the residential area.

9. Witness/victim observed the suspect prior to the robbery walking toward the Royal Farms and after the robbery he again observed the same suspect fleeing the area of the Royal Farms

store. The witness/victim attempted to approach the suspect at which time the suspect shot at the witness/victim. Numerous witnesses heard what they described as a gunshot around the time the suspect was fleeing the robbery.

10. Witnesses advised the Detectives/Officers that they observed the suspect get into a full size, white in color "Chevy or GMC" van with a ladder rack and War of 1812 Maryland registration plates and flee the area after the robbery.

11. After BCPD Detectives reviewed the video surveillance footage they determined that the suspect had a distinctive mushroom shaped tattoo on his neck.

12. BCPD Detectives checked a law enforcement photograph database. That check produced a possible match with Richard Wallace GREEN, date of birth of March 29th, 1968. Richard Wallace GREEN had a salt and pepper beard and the same distinctive mushroom shaped tattoo on his neck.

13. BCPD Detectives conducted a check of the Maryland Motor Vehicle Registration database and found that Richard GREEN owns a 2011 full size white Chevy van, Maryland Registration 9AJ1000. That check further reveled that Richard GREEN resides at 408 Metropolitan Boulevard Pasadena, Maryland 21122.

14. BCPD Detectives conducted physical surveillance on 408 Metropolitan Boulevard Pasadena, Maryland 21122. During that physical surveillance they observed Richard GREEN driving the 2011 white Chevy van bearing Maryland Registration 9AJ1000. The Detectives observed that the van had a ladder rack and War of 1812 registration plates. Richard GREEN parked the van in front of 408 Metropolitan Boulevard Pasadena, Maryland 21122 and walked inside the residence.

15. On August 5th, 2015, BCPD Detectives applied and received a search and seizure warrant for residence of 408 Metropolitan Boulevard Pasadena, Maryland 21122, and the vehicle, a 2011 full size white Chevy van, Maryland Registration 9AJ1000.

16. On August 6th, 2015 members of the BCPD with the assistance of Anne Arundel County Police Department (AAPD), executed the search and seizure warrants on the residence of 408 Metropolitan Boulevard Pasadena, Maryland 21122, and the vehicle, a 2011 full size white Chevy van, Maryland Registration 9AJ1000. During the search of the vehicle the detectives recovered a black mask, black trash bag, court paperwork with the name of Richard Wallace GRREN, and a pair of Nike shoes black and gray in color. During the search of the residence the detectives recovered residency paperwork in the name of Richard Wallace GREEN, one box of .25 Auto ammunition, one box of 7.62 x 39 caliber ammunition, one box of 9mm ammunition, and two cell phones.

REQUEST FOR A SEARCH WARRANT

17. Given the facts set forth above, your affiant has probable cause to believe that GREEN committed violations of Title 18 U.S.C. § 924(c) and Title 18 U.S.C. § 1951. As such, your affiant respectfully requests that this Court find probable cause that evidence of the aforementioned criminal violations is contained in the form of DNA in saliva in the possession of Richard Wallace GREEN, a male born on March 29, 1968, with a Social Security number ending in 0456, and an FBI number ending in 2FAO. Photograph of GREEN is included in Attachment A to this affidavit.

26. WHEREFORE, I respectively request that the Court issue a warrant authorizing members of the FBI, or their authorized representatives, including but not limited to other law

enforcement agents assisting in the above described investigation, to obtain DNA samples from Richard Wallace GREEN, so that the DNA sample may be compared to evidence collected during the course of the investigation, to include but not limited to, items described *supra* in paragraph 16 of this affidavit.

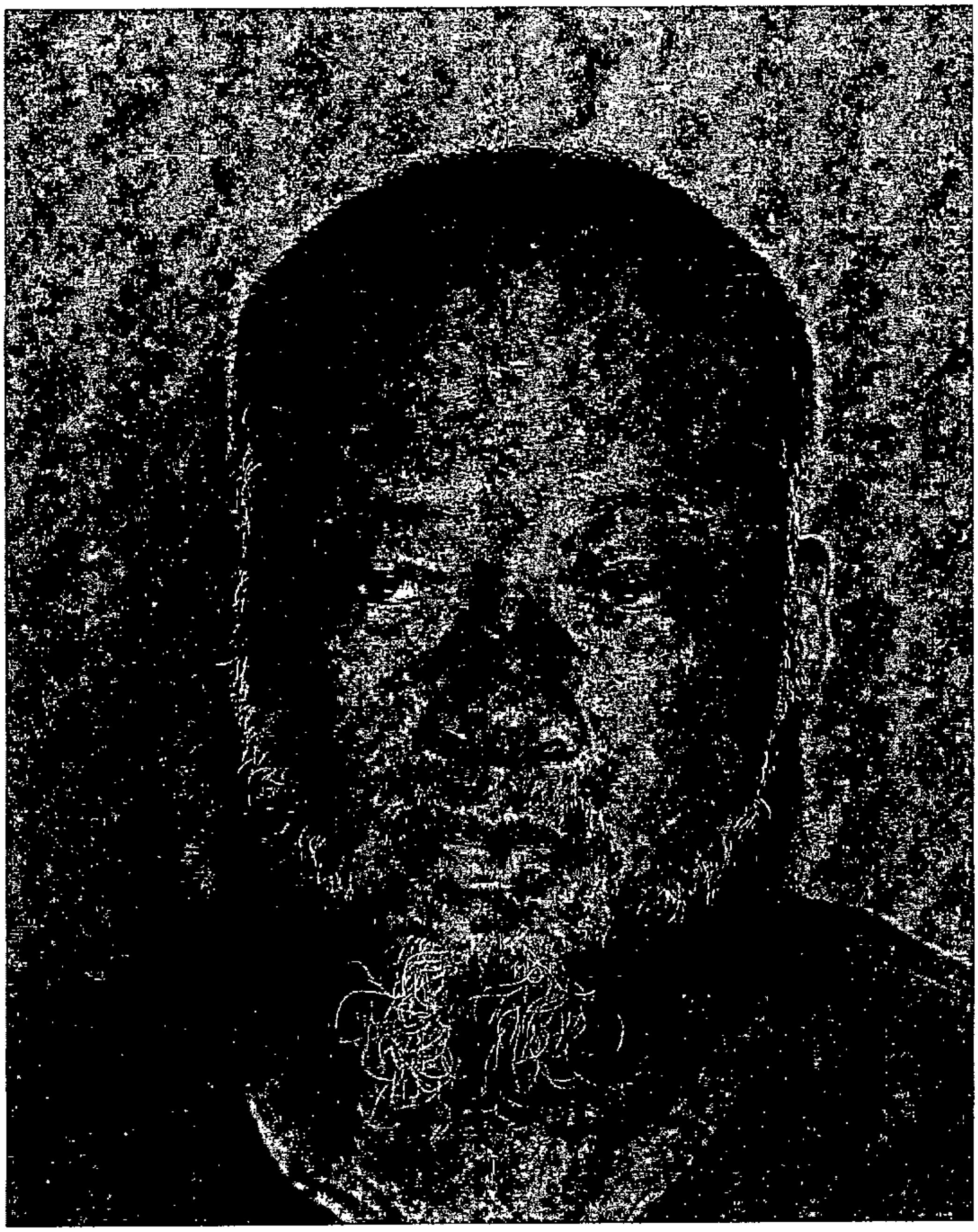
TFO/Detective David T. Shipley
Task Force Officer
Federal Bureau of Investigation

Sworn to before me on 16 February 2017, 2017

The Honorable A. David Copperthite
United States Magistrate Judge

17-0448-ADC

ATTACHMENT A

Richard Wallace GREEN